



SO ORDERED.

SIGNED this 20th day of November, 2018

**THIS ORDER HAS BEEN ENTERED ON THE DOCKET.
PLEASE SEE DOCKET FOR ENTRY DATE.**

Shelley D. Rucker
Shelley D. Rucker
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE EASTERN DISTRICT OF TENNESSEE**

In re:)
)
Sheree E. Partin) **No. 4:18-bk-13939-SDR**
) **Chapter 13**
Debtor)

ORDER

This case came to be heard on the chapter 13 trustee's objection to confirmation of the debtor's chapter 13 plan. For the reasons stated orally on the record, it is ORDERED that the trustee's objection (doc. no. 21) is sustained and confirmation is denied. Furthermore, there being no confirmable plan before the court, it is ORDERED:

1. This case is dismissed and any wage order shall be vacated.

2. For services rendered in this chapter 13 case, the attorney for the debtor is awarded a fee in the amount of \$1,750.00. This fee award is final unless within fourteen (14) days after entry of this order there is filed:

- (a) an objection by the debtor or the chapter 13 trustee, or
- (b) an application pursuant to Fed. R. Bankr. P. 2016(a) by counsel for the debtor for fees higher than the presumptive amount set forth herein. The application shall be accompanied by a certificate evidencing service of the application upon the debtor and the chapter 13 trustee.

3. The attorney's fee shall be paid from plan payments in the possession of the chapter 13 trustee after the payment of the filing fee. Any unpaid fees are the responsibility of the debtor.

4. In accordance with 11 U.S.C. § 1326(a)(2), the trustee shall return any plan payments to the debtor after payment in the following priority of (a) any unpaid filing fees; and (b) any other administrative expenses awarded under 11 U.S.C. § 503(b), including the attorney fee allowed herein. In the event the trustee has insufficient funds on hand to pay any unpaid filing fees and the attorney fee awarded by this order, the payment of such unpaid fees shall be the responsibility of the debtor.

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